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SUBJECT: PORT SECURITY DEMARCHE - YEMEN

¶1. This is an action request. See paragraph 5.

SUMMARY

¶2. (SBU) The United States Government (USG) is concerned that the current level of port security in Yemen does not adequately reflect the current threat situation given recent terrorist events in country. The USG seeks to engage the Government of Yemen (ROYG) to address U.S. concerns regarding a possible increased risk of terrorist exploitation of international maritime commerce to launch attacks, including on the United States. Accordingly, the USG urges the ROYG to enhance port security measures at its port facilities and for vessels upon arrival to Yemen as applicable under the International Maritime Organization's (IMO) International Ship and Port Facility Security (ISPS) Code provisions of the International Convention for Safety of Life at Sea (SOLAS), ¶1974. Embassy Sanaa should also seek ROYG agreement to receive additional U.S. Coast Guard visits to offer recommendations for additional measures as appropriate. If these actions are not implemented, the USG may impose conditions of entry on vessels arriving to the United States whenever one of their last five ports of call was in Yemen.

BACKGROUND

¶3. (SBU) The Maritime Transportation Security Act Of 2002 (46 U.S.C. 70108-70110) requires the Secretary of Homeland Security to assess the effectiveness of anti-terrorism measures maintained in foreign ports and to take action if effective anti-terrorism measures are not in place. As part of this assessment process, a U.S. Coast Guard International Port Security (IPS) Program Team visited Yemen in April/May 2007 to discuss implementation of the ISPS Code in Yemen's ports. A follow-up visit occurred in November of this year. Based on a thorough assessment of available intelligence, observations in the port of Aden, and a decrease in the overall security environment due to recent terrorist events in country targeting U.S., Yemeni, and other international interests, the Secretary of Homeland Security in coordination with the Maritime Security Policy Coordinating Committee (MSPCC) has determined that the anti-terrorism measures in place in

Yemen do not reflect the current threat situation.

14. (SBU) Accordingly, the ROYG, under its responsibilities as the contracting government to the SOLAS regulations, including the ISPS Code, is requested to immediately review the port security posture in its ports. A thorough and detailed Port Facility Security Assessment (PFSA) should be undertaken and a revised and detailed Port Facility Security Plan should be prepared which takes into account the threats and risks identified in the PFSA. In the interim, the ROYG should take additional security measures in its ports and should also require vessels that call at its ports to take additional security measures consistent with security level 2. The ROYG is also requested to host a team of U.S. Coast Guard experts to assess the additional security measures implemented by the ROYG. If these actions are not implemented, the USG may impose conditions of entry on vessels arriving to the United States whenever one of their last five ports of call was in Yemen.

ACTION REQUEST

15. (SBU) Post is requested to deliver the talking points in paragraph 5 to officials in the appropriate ministries. Please advise to whom the points were delivered, the date of delivery, and the response. In its response, post is also requested to provide its views regarding the likely impact of such increased security measures in terms of both the additional resource demands on the ROYG and the shipping industry, and the potential public impact of such measures. The U.S. Coast Guard is prepared to conduct a follow up visit Yemen to assist in the implementation of ISPS security measures in collaboration with appropriate host government officials. Please advise if such a visit would be appropriate and welcomed by the ROYG. If so, post, s assistance in arranging the visit and providing a post point of contact would be appreciated.

Talking Points

16. (U) Under the Maritime Transportation Security Act (MTSA), the United States Congress mandated that the United States Government (USG) assess the effectiveness of anti-terrorism measures in foreign ports.

As part of this assessment process, a U.S. Coast Guard International Port Security (IPS) Program Team visited Yemen in April/May 2007 to discuss implementation of the ISPS Code in Yemen,s ports. An additional visit occurred in November of this year.

The team noted that security in two ports, Aden and Hodeidah, was provided by the Yemeni Coast Guard (YCG). The YCG is making progress in ensuring that a secure environment exists. However, the USG has several areas of concern. These include:

A lack of coordination between the Designated Authority and the YCG.

The need for a thorough Port Facility Security Assessment and Port Facility Security Plan that reflect the risks in Yemen.

Unclear or non-existent standard operating procedures for providing security in the ports.

The apparent lack of a reliable security organization to provide security in the port of Mukalla

The lack of oversight by the Designated Authority to ensure that provisions of the Port Facility Security Plan are being followed.

As a result of the overall assessment, and a decrease in the overall security environment exemplified by recent terrorist attacks against U.S., Yemeni, and other international interests, the USG is concerned that the current level of port security in Yemen does not adequately reflect the threat situation. When such a determination is made, the USG, under the authority of the Maritime Security Act of 2002, may impose conditions of entry on all vessels sailing to U.S. ports that have called at a port in Yemen within five port calls of a U.S. arrival. However, appropriate action by the Government of Yemen could prevent the need to take such measures.

Specifically, the Government of Yemen, under its responsibilities as a contracting government to the SOLAS regulations, including the ISPS Code, is requested to immediately undertake a thorough and detailed Port Facility Security Assessment (PFSA) for its ports.

Based on the results of the PFSA, the Government of Yemen is requested to prepare a thorough and detailed Port Facility Security Plan (PFSP) and to fully implement its provisions.

The USG understands that an initial PFSA and PFSP were prepared some time ago. However, the USG believes that given recent events, there has been a sufficient change in the security environment to warrant a new PFSA and PFSP.

While a new PFSP is prepared and implemented, the USG believes that Yemen should take immediate steps to strengthen port security. The USG recognizes the concerns that the Yemeni government has regarding the formal raising of the security level in its ports. Nonetheless, the USG recommends that the government of Yemen take measures in line with security level 2 at all of its ports on a sustained and consistent basis. Such measures should include:

- Requiring positive identification of all personnel entering the port facility at all times

- Searching a specified number of persons and vehicles entering the port facility on a consistent basis

- Conducting more frequent landside and waterside patrols to monitor the security at the port facility and ensuring that the results of these patrols are documented and recorded

The USG further recommends that the Government of Yemen require that vessels arriving at ports in Yemen:

- take measures equivalent to security level 2 (as defined in the ISPS Code);

- ensure that each access point to the vessel is guarded and that the guards have complete visibility of the exterior (both landside and waterside) of the vessel while the vessel is in port in Yemen. Guards may be provided by the vessel's crew; however, additional crewmembers should be placed on the vessel if necessary to ensure that limits on maximum hours of work are not exceeded, and/or minimum hours of rest are met, or guards may be provided by outside security forces approved by the vessel's master and company security officer;

- execute a declaration of security while the vessel is in port in Yemen;

- log all security actions in the ship's log while the vessel is in port in Yemen.

(NB: These are the same security measures the U.S. Coast Guard would impose on vessels visiting U.S. ports had these vessels docked at high threat ports during any of the last five port calls.)

The U.S. continues to consider Yemen an important Counter Terrorism partner. The U.S. Coast Guard would welcome an opportunity to re-visit Yemen to assist in the preparation of the PFSA and PFSP. Such a visit would form the basis for determining whether additional measures are needed or if any technical assistance could be provided.

End talking points.
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